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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

RHONDA CORA MARTIN, and
individual,

Plaintiff,

vs.

BJ's RESTAURANT OPERATIONS
COMPANY, a domestic corporation; DOE
EMPLOYEES OF BJ's RESTAURANT
OPERATIONS COMPANY, DOES 1-20
and ROE BUSINESS ENTITIES 1-20,
inclusive,

Defendants.

Case No. 2:23-cv-01848-JAD-DJA

**JOINT STIPULATED DISCOVERY
PLAN AND SCHEDULING ORDER**

**SPECIAL SCHEDULING REVIEW
REQUESTED**

The parties to this action, Plaintiff Rhonda Cora Martin ("Plaintiff") and Defendants BJ's Restaurant Operations Company, ("Defendants") (collectively, the "Parties"), by and through their respective counsel, having conducted a Rule 26(f) conference via telephone on December 4, 2023, hereby stipulate and request that the Court enter a stipulated discovery plan and scheduling order pursuant to the following terms:

1. **Discovery Cut-off date:** Defendant filed its Notice for Removal on November 9, 2023. The Parties request that Discovery be completed by **July 16, 2024**, which is 250 days from the first appearance in this case. The Parties are requesting this discovery period due to the ongoing treatment of Plaintiff Martin as well as Plaintiff's counsel's ongoing attempts to gather all of her medical bills and

records from two recent surgeries, and as the Court is aware, such treatment requires a period of time to assess whether it will be effective. Such is the reason for the Parties' request for an extended discovery period.

2. **Deadline to Amend Pleadings and Add Parties:** The Parties shall have until **April 17, 2024**, to file any motion(s) to amend the pleadings or to add parties. This is 90 days before the Discovery cutoff date for filing such motions.
3. **Deadlines to Disclose Expert Witnesses:** The Parties have agreed to the standard deadline for expert disclosures of 60 days before the discovery cut-off date, which falls on **May 17, 2024**. The disclosure deadline for rebuttal experts is **June 15, 2024**.
4. **Deadline for Dispositive Motions:** The Parties have agreed to the standard deadline for dispositive motions of 30 days after the close of discovery deadline, which falls on **August 16, 2024**.
5. **Filing Pretrial Order:** The Parties have agreed to the standard deadline for the joint pretrial order of 30 days after the dispositive-motion deadline, which falls on **September 16, 2024**. To the extent dispositive motions are filed, the deadline for filing the joint pretrial order will be suspended until 30 days after the decision on the dispositive motions or further court order. The Parties are to include their pretrial disclosures under FRCP 26(a)(3) with the joint pretrial order.
6. **Alternative Dispute Resolution:** The Parties hereby certify that they met and conferred about the possibility of using alternative dispute-resolution processes.
7. **Alternative Forms of Case Disposition:** The Parties hereby certify that they considered consent to trial by a magistrate judge under 28 U.S.C. § 636(c) and FRCP 73 and the use of the Short Trial Program (General Order 2013-01).
8. **Electronic Evidence:** The Parties certify that they discussed whether they intend to present evidence in electronic format to jurors for the purposes of jury deliberations. The Parties anticipate that they will have some evidence to present

to the jury that exists in electronic format.

9. **Discovery Plan:** The Parties do not have any proposed changes in timing, form, or requirement for Rule 26(a) disclosures. Plaintiff and Defendants will serve their initial disclosures by January 3, 2024. .
10. **Extension of Scheduled Deadlines:** According with LR 26-3, a motion or stipulation to extend any date set by this Discovery Plan and Scheduling Order must comply with LR IA 6-1 and be supported by a showing of good cause for the extension. Such a motion or stipulation to extend must be received by the court no later than 21 days prior to the deadline(s) being extended. Any request made within 21 days of the deadline(s) being extended must be supported by a showing of good cause, and any request made after the deadline(s) in question will not be granted absent a showing from the movant of excusable neglect.

DATED THIS 3rd day of January 2023.

DATED THIS 3rd day of January 2023.

HICKS & BRASIER, PLLC

BACKUS BURDEN

/s/ Justin W. Wilson

/s/ Jacquelyn Franco, Esq.

JUSTIN W. WILSON, ESQ.

JACQUELYN FRANCO, ESQ.

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Attorneys for Plaintiff

Attorneys for Defendants

IT IS SO ORDERED.



U.S. MAGISTRATE JUDGE

Date: January 4, 2024
